

CR - 08 00377

RMW

RS

UNITED STATES DISTRICT COURT

E-FILING

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FILED

JUN 4 - 2008

THE UNITED STATES OF AMERICA

vs.

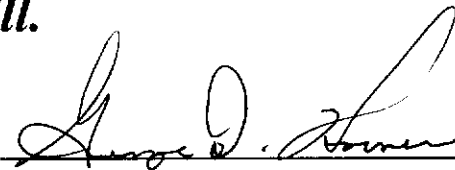
TOMMY McINTOSH, JR.

INDICTMENT

COUNT ONE: Title 18, United States Code, Section 922(g)(1) -
Felon in Possession of Firearm and Ammunition;

FORFEITURE ALLEGATION: Title 18, United States Code, Section
924(d)(1) - Forfeiture Allegation.

A true bill.



Foreperson

Filed in open court this 4th day of JUNE

A.D. 2008



UNITED STATES MAGISTRATE JUDGE

Bail \$

No Bail Warrant.
RS.

DOCUMENT NO.	CSA's INITIALS
<u>1</u>	<u>ec</u>
DISTRICT COURT CRIMINAL CASE PROCESSING	

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

FILED

JUN 4 2008

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-FILING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RMW

CR - 08 00377

RS

UNITED STATES OF AMERICA,

No.

Plaintiff,

v.

TOMMY McINTOSH, JR.,

Defendant.

VIOLATIONS: 18 U.S.C. § 922(g)(1) -
Felon in Possession of Firearm and
Ammunition; 18 U.S.C. § 924(d)(1) -
Forfeiture Allegation

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 922(g)(1))

On or about February 1, 2008, in the Northern District of California, the defendant,

TOMMY McINTOSH, JR.,

having been previously convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, to wit, a .38 caliber Rohm, Model 38S revolver, serial number FF33146, and ammunition, to wit, six rounds of .38 caliber ammunition bearing head-stamp "CCI", in and affecting interstate and foreign commerce, all in violation of 18 U.S.C. § 922(g)(1).

INDICTMENT

1 FORFEITURE ALLEGATION: (18 U.S.C. § 924(d)(1))

2 1. The factual allegations contained in Count One of this Indictment are re-alleged and
3 incorporated herein.

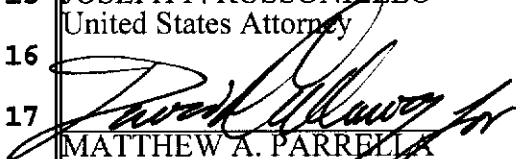
4 2. Upon a conviction for the offense alleged in Count One above, the defendant,
5 TOMMY McINTOSH, JR.,
6 shall forfeit to the United States any firearm and ammunition involved in or used in any knowing
7 violation of said offense, including, but not limited to, the following property: a .38 caliber
8 Rohm, Model 38S revolver, serial number FF33146, and six rounds of .38 caliber ammunition
9 bearing head-stamp "CCI", all in violation of 18 U.S.C. § 924(d)(1).

10
11 DATED: 06/04/08

A TRUE BILL

12 
13 FOREPERSON
14

15 JOSEPH P. RUSSONIELLO
16 United States Attorney

17 
18 MATTHEW A. PARRELLA
Chief, San Jose Branch Office

19 (Approved as to form: 
20 AUSA John N. Glang
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INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**18 U.S.C. Section 922(g)(1) - Felon in Possession of Firearm and Ammunition
18 U.S.C. Section 924(d)(1) - Forfeiture Allegation☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**10 years imprisonment
\$250,000 Fine
3 years of supervised release, \$100 special assessment
Forfeiture of seized firearm and ammunition**E-FILING****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI SPECIAL AGENT RYAN DWYER

☒ person is awaiting trial in another Federal or State Court, give name of court
SANTA CRUZ COUNTY SUPERIOR COURT☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

JOSEPH P. RUSSONIELLO

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

JOHN N. GLANG

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

TOMMY MCINTOSH, JR.

DISTRICT COURT NUMBER

CR - 08 00377**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☒ Awaiting trial on other charges

☐ Fed'l ☒ State

If answer to (6) is "Yes", show name of Institution

SANTA CRUZ COUNTY JAIL, WATER ST. FACILITY

Has detainer
been filed?☐ Yes
☒ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

4/27/2008

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS*☒ WARRANT

Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: